IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 1541 OF 1987

M/s.Nathani Food Products Pvt.Ltd. .. Plaintiffs.

V/s.

M/s.Puneet Sales Agency & Ors. .. Defendants.

Ms.Megha Mazgaonkar i/by P.V.Shah for the Plaintiffs.

CORAM : S. A. BOBDE, J.

DATED : 25th JANUARY, 2007.

P.C.:

. On 30th November, 1987 this court transferred the suit to the list of commercial causes and granted 12 weeks time to file a written statement. The learned counsel for the plaintiffs states that no written statement has been filed by the defendants. He, therefore, seeks a decree/judgment under Order 8 rule 10 of the code of civil procedure. The suit is for recovery of the unpaid price of goods supplied to the defendants from time to time, being various kinds of biscuits. The value of the biscuits supplied to the defendants is in the sum of Rs.40,227.85/-. The plaintiffs then raised various debit notes for the amount of Rs. 5,393.00, which the defendant did not

pay. Some of the invoices are at Exh.‘E’ and ‘F’.

2. In view of the fact, that the averments in the plaint are not controverted it is appropriate to decree the plaintiffs suit under Order 8 Rule 10 of the code of civil procedure for the sum of Rs.60,048.85/- with further interest at the rate of 12% per annum on Rs.45,620.85/- from the date of filing of the suit till payment.

3. Decree be drawn up accordingly.

(S.A.BOBDE,J.)

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